

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re PAYMENT CARD INTERCHANGE :
FEE AND MERCHANT DISCOUNT : 05-md-1720 (JG)(JO)
ANTITRUST LITIGATION :
: NOTICE OF APPEAL
This Document Relates To: :
:
ALL CLASS ACTIONS. :
:
-----X

Notice is hereby given that Objecting Plaintiffs and Objectors¹ appeal to the United States Court of Appeals for the Second Circuit from the order entered on December 13, 2013 granting final approval of the class action settlement, Docket No. 6124.

DATED: New York, New York
December 13, 2013

CONSTANTINE CANNON LLP
By: _____/s
Jeffrey I. Shinder
335 Madison Avenue, 9th Floor
New York, New York 10017
Telephone: (212) 350-2700
Facsimile: (212) 350-2701
Email: jshinder@constantinecannon.com
Attorneys for Objecting Plaintiffs and Objectors

¹ The Objecting Plaintiffs are the following ten named plaintiffs: Coborn's Incorporated; D'Agostino Supermarkets, Inc.; Jetro Holdings, LLC; Affiliated Foods Midwest Cooperative, Inc.; National Association of Convenience Stores (NACS); National Community Pharmacists Association (NCPA); National Cooperative Grocers Association (NCGA); National Grocers Association (NGA); National Restaurant Association (NRA); and NATSO Inc. The Objectors are the following 53 absent class members: 7-Eleven, Inc.; Academy, Ltd. d/b/a Academy Sports Outdoors; Aldo US Inc. d/b/a Aldo and Call It Spring; Alon USA, LP (Alon Brands); Amazon.com, Inc.; American Eagle Outfitters, Inc.; Barnes & Noble, Inc.; Barnes & Noble College Booksellers, LLC; Best Buy Stores, L.P.; BJ's Wholesale Club, Inc.; The William Carter Company (Carter's); Costco Wholesale Corporation; Crate & Barrel Holdings, Inc.; Darden Restaurants, Inc.; David's Bridal, Inc., DBD Inc. and David's Bridal Canada Inc.; Dick's Sporting Goods, Inc.; Dillard's, Inc.; Family Dollar Stores, Inc.; Drury Hotels Company, LLC; Foot Locker, Inc.; Gap Inc.; GNC Holdings, Inc. (General Nutrition Corporation); Genesco Inc.; The Gymboree Corporation; HMSHost Corporation; IKEA North America Services, LLC; J. Crew Group, Inc.; Kwik Trip, Inc.; Lowe's Companies, Inc.; Marathon Petroleum LP; Martin's Super Markets, Inc.; Michaels Stores, Inc.; National Railroad Passenger Corporation d/b/a Amtrak; Nike, Inc.; Panda Restaurant Group, Inc.; Panera Bread Company; P.C. Richard & Son, Inc.; PETCO Animal Supplies, Inc.; PetSmart, Inc.; RaceTrac Petroleum, Inc.; Recreational Equipment, Inc. (REI); Retail Industry Leaders Association (RILA); Roundy's Supermarkets, Inc. d/b/a Pick 'N Save, Rainbow, Copps, Metro Market and Mariano's; Sears Holdings Corporation; Speedway LLC; Starbucks Corporation; Stein Mart, Inc.; Thermo Fisher Scientific Inc.; Wal-Mart Stores, Inc.; The Wendy's Company; The Wet Seal, Inc.; Whole Foods Market, Inc.; and Zappos.com, Inc.